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| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/780,132 | JUNG ET AL. | |
| | Examiner | Art Unit | |
| | Shi K. Li | 2613 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to preliminary amendment filed on 14 May 2004.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date <u>4/13/2006</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
|--|--|

Shi K. Li

**SHI K. LI
PRIMARY PATENT EXAMINER**

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steve S. Cha on 1 March 2007.

The application has been amended as follows:

In claim 11, line 9, ---(c) --- has been added before "branching".

In claim 11, line 11, "(c)" has been replaced by ---(d)---.

In claim 11, line 13, "(d)" has been replaced by ---(e)---.

In claim 12, line 2, "(d)" has been replaced by ---(e)---.

In claim 14, line 3, "and a WDM demultiplexer (DEMUX) is" has been deleted.

In claim 14, line 14, "temperatures" has been replaced by ---temperature---.

In claim 14, line 15, "and the WDM DEMUX" has been deleted.

In claim 15, line 6, "temperatures" has been replaced by ---temperature---.

In claim 15, lines 6-7, "and the WDM DEMUX" has been deleted.

In claim 15, line 10, "temperatures" has been replaced by ---temperature---.

In claim 15, line 11, "and the WDM DEMUX" has been deleted.

In claim 15, line 14, "temperatures" has been replaced by ---temperature---.

In claim 15, line 15, "and the WDM DEMUX" has been deleted.

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2. The following is an examiner's statement of reasons for allowance:

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Doerr et al. (U.S. Patent 6,304,350 B1) teaches in FIG. 1 adjusting wavelengths of multifrequency laser based on power measured at the receiver.

Muller (U.S. Patent 6,925,266 B1) teaches in FIG. 1 wavelength adjustment base on power measurements from a wavelength demultiplexer.

Lidén et al. (U.S. Patent 6,980,742 B1) teaches in FIG. 4 algorithm for adjusting laser temperature for getting maximum power output at the receiver.

Kim et al. (U.S. Patent Application Pub. 2004/0091265 A1) teaches in FIG. 4 loop-back light sources.

The prior art fails to teach, or render obvious, "minimize the difference between the power levels of the measured downstream and upstream WDM optical signals" as recited in claim 1 in combination with the other limitations.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shi K. Li whose telephone number is 571 272-3031. The examiner can normally be reached on Monday-Friday (8:30 a.m. - 5:00 p.m.).


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached on 571 272-3022. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

skl

2 March 2007



Shi K. Li
Primary Patent Examiner